

REMARKS

The present application was filed on October 17, 2003 with claims 1-28, all of which remain pending. Claims 1, 17, 27 and 28 are the independent claims.

Claims 1-6, 8, 9, 12, 13, 15-20, 22, 24 and 26-28 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,314,463 (hereinafter "Abbott") in view of U.S. Patent Application Publication No. 2003/0208559 (hereinafter "Velline").

Claims 7 and 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Abbott and Velline in view of U.S. Patent No. 6,859,784 (hereinafter "Van Duyn").

Claims 10, 11, 14, 23 and 25 are rejected under 35 U.S.C. §103(a) as being unpatentable over Abbott and Velline in view of U.S. Patent No. 6,076,174 (hereinafter "Freund").

In this response, Applicants have amended independent claims 1, 17, 27 and 28 without prejudice solely to expedite allowance of the present application by further clarifying the claimed subject matter. More particularly, these claims have been amended to include limitations directed to automatically creating a resource translator for interpreting the associated resource specific format and translating the one or more performance metrics and the one or more configurations from the associated resource specific format to a generic format using the automatically created resource translator. This amendment is supported by the specification at page 12, line 19, to page 13, line 10:

FIG. 5 is a flow diagram illustrating a resource translator building methodology according to an embodiment of the present invention. In accordance with methodology 500, a generic interface is determined for the control system by either starting with a common interface like the Common Interface Model (CIM) standard and extending it to allow control functions or creating an entirely new common interface for control (step 510). Either way, a common generic interface is created to allow monitoring and/or control of one or more resources.

The resources within the system that need to be monitored are identified (step 520) as well as the resources in the system that will be controlled (step 530). They do not have to be the same resources but they can be the same. Once those resources are identified, a resource translator (e.g., 110 of FIG. 1) for each resource is created to interpret the specific format and configuration parameters of those resources to the generic interface that was established for the generic control system (step 540). A translator is also built for probe 114 and controller 120. Each translator is then added to the generic control system (step 550). (emphasis added)

Applicants respectfully submit that the combination of Abbott and Velline fails to teach or suggest at least the newly added limitations of the independent claims directed to automatically creating a resource translator for interpreting the associated resource specific format and translating the one or more performance metrics and the one or more configurations from the associated resource specific format to a generic format using the automatically created resource translator.

The Examiner concedes that Abbott fails to teach or suggest any translation of performance metrics and configurations from an associated resource specific format to a generic format. Rather, the Examiner relies primarily on step 706 in FIG. 7 of Velline, as described at paragraph 58 thereof:

In step 706, the server 106 converts this data to a common data format. The server 106 includes a number of adapters, such as ODBC data adapter 314, XML data adapter 316, and HTML data adapter 318, to perform this conversion. These adapters 314, 316, and 318 are specific to the particular data sources. Each of the adapters 314, 316, and 318 is associated with a data source, understands the native format of this data source, and is capable of converting the data in the native format to the common data format. Generally speaking, each adapter 314, 316, 318 performs a mapping (or transformation) between the respective native format and the common data format. The data adapter layer 312 coordinates and controls the operation of data adapters 314, 316, 318 to perform the operations just described. (emphasis added)

Assuming arguendo that these data adapters could be analogized to the claimed resource translators, it is clear from the above description that these data adapters are not automatically created, but rather are selected from a predefined set of data adapters which are included on the server. See also Velline at paragraph 64 (“The operation of additional data adapters for other data sources having other native formats will be apparent to persons skilled in the relevant arts based on the discussion contained herein. The scope and spirit of the invention include such other data adapters.”) See generally Velline at paragraphs 59-67, with reference to FIGS. 8-10 (providing operational flowcharts for specific data adapters which may included on the server).

Accordingly, Applicants respectfully submit that the combination of Abbott and Velline fails to teach or suggest each and every limitation of the independent claims as amended herein.

Applicants have also amended independent claims 1, 17, 27 and 28 so as to incorporate limitations similar to those recited in dependent claims 3, 8 and 10-12. These dependent claims, as well as corresponding dependent claims 19, 22 and 23, have accordingly been canceled. Applicants are not conceding that the claims as previously presented are unpatentable over the cited references. Rather, these amendments are being made solely to expedite prosecution of subject matter indicated as allowable in a telephone interview with the Examiner.

Dependent claims 2, 4-7, 9, 13-16, 18, 20, 21 and 24-26 are believed allowable for at least the reasons identified above with reference to claims 1 and 17. These claims are also believed to define separately-patentable subject matter over the cited art.

In view of the above, Applicants believe that amended claims 1, 2, 4-7, 9, 13-18, 20, 21 and 24-26 are in condition for allowance, and respectfully request withdrawal of the §103 rejections.

Respectfully submitted,



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